

REMARKS

The Examiner's Action mailed on Dec. 29, 2004 has been received and its contents carefully considered.

In this Amendment, Applicants have amended claim 1 and canceled claims 2-4.

The Examiner has rejected claim 1 under 35 U.S.C. 102(b) as being anticipated by *Fullerton*. (US 5,280,368). The Examiner has rejected claim 2 under 35 U.S.C. 103(a) as being unpatentable over *Fullerton* in view of *Motamed*. (US 6,327,047). The Examiner has rejected claim 3 under 35 U.S.C. 103(a) as being unpatentable over *Fullerton* in view of *Motamed* and *Yang* (US 6,694,062). The Examiner has rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over *Fullerton* in view of *Motamed*, *Buchar et al.* (US 4,967,233) and *Yang*. However, it is respectfully submitted that the current formulation of claim 1 is patentably distinguishable over the cited reference for at least the following reasons.

Independent claim 1 is directed to a duplex scanner capable of calibrating a two-sided document. The duplex scanner comprises an automatic document feeder, an upper carriage installed in the automatic document feeder, an upper calibration paper installed under the upper carriage, a case, a transparent platen fixed on the case for receiving a to-be-scanned document, a lower calibration paper fixed to the transparent platen, and a lower carriage installed inside the case. Also, the lower carriage has an extending board for attaching the upper calibration paper, and the upper calibration paper is simultaneously moved with the lower carriage along the same direction.

Accordingly, after driving the lower carriage, the upper calibration paper is moved under the upper carriage so that the upper carriage is capable of scanning a plurality of scan lines on the upper calibration paper for calibrating light beam information. This claimed scanner has the advantages discussed in Applicants' specification, for example, reducing the effect of the contaminated calibration paper on the calibration of the light beam information. This is neither disclosed nor suggested by the cited references.

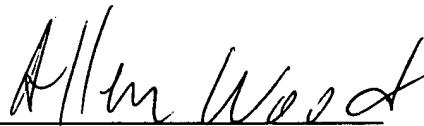
Fullerton disclose a scanner comprising a document input, a stationary sheet platen; a sheet transport; a scanning station having a first (upper) scanning element and a second (lower) scanning element; a calibration member; means for biasing the calibration member; and drive means for moving the second scanning element. According to the disclosure of Fullerton, the calibration member (200) is arranged to **engage with** the lower scanning element (34), and the pivoting or rotating movement of the calibration member (200) is driven by the movement of the lower scanning element (34) (Fig. 2 and col. 8, lines 1-15). This anchor-like calibration member (200) requires several delicate pieces (i.e. means for biasing the calibration member (210), col. 7, lines 24-47) and arrangement for achieving the object of calibration; **thus, high production cost is inevitable.** Also, the calibration target (black or white target) (222) is supported or printed on the surface (206) of the calibration member (200), and the surface (206) supports the document moving past the first scanning element and **against the platen glass (90)** (Fig. 2 & col.7, lines 35-47 & Claim 1). According to the mechanical design, the calibration target (222) presses the document in contact with the platen glass during the scanning operation, **so that the possibility of contamination of the calibration target is greatly increased** after the scanning or calibration operation proceeds for a while.

Neither Fullerton nor other cited references teach or suggest of "providing an extending board for attaching the upper calibration paper, and the upper calibration paper is simultaneously moved with the lower carriage along the same direction" as recited in claim 1.

The disposition of the extending board has several advantages. In the applicant's invention, the upper calibration paper attached to the extending board of the upper calibration paper is away from the platen glass at a distance (please see FIG. 4 of the present application). According to the applicant's invention, the mechanical design is very simple, low-cost and easy to assemble; also, the possibility of contamination of the calibration paper is greatly reduced. It is thus submitted that claim 1 is patentably distinguishable over the cited references. Accordingly, it is respectfully submitted that the rejection should be withdrawn.

Based on the above, it is submitted that the pending claim 1 is allowable over the cited references, so that this application is in condition for allowance. Such action and the passing of this case to issue are therefore respectfully requested.

Respectfully submitted,



Allen Wood
Registration Number 28,134
RABIN & BERDO, PC
Customer No. 23995
Telephone: 202-371-8976
Facsimile: 202-408-0924